

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

GULMIRA TUKESHEVA

Plaintiff,

v.

UNITED STATES CITIZENSHIP AND
IMMIGRATION SERVICE, et al.,

Defendants.

No. 2:24-cv-03284-DC-CKD (PS)

ORDER

Plaintiff, proceeding without the assistance of counsel, filed the instant action on November 25, 2024, and paid the filing fee.¹ (ECF No. 1.) On November 25, 2024, the Clerk's Office issued summons to serve the defendants. (ECF No. 2.)

Pursuant to Rule 4 of the Rule of Civil Procedure:

If a defendant is not served within 90 days after the complaint is filed, the court—on motion or on its own after notice to the plaintiff—must dismiss the action without prejudice against that defendant or order that service be made within a specified time. But if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period.

Fed. R. Civ. P. 4(m). The record reflects that plaintiff has attempted service (ECF No. 4),

¹ Because plaintiff proceeds without counsel, this matter was referred to the undersigned under Local Rule 302(c)(21).

1 however it appears that service was incomplete. Plaintiff is informed that the Federal Rules of
2 Civil Procedure describe how service must be accomplished, which includes serving both the
3 complaint and the summons.

4 Pursuant to Rule 4(i) of the Federal Rules of Civil Procedure, “Serving the United States
5 and Its Agencies, Corporations, Officers, or Employees”:

6 (1) *United States*. To serve the United States, a party must:

7 (A)(i) deliver a copy of the summons and of the complaint to the
8 United States attorney for the district where the action is brought—or to an
9 assistant United States attorney or clerical employee whom the United States
10 attorney designates in a writing filed with the court clerk—or

11 (ii) send a copy of each by registered or certified mail to the civil-
12 process clerk at the United States attorney’s office;

13 (B) send a copy of each by registered or certified mail to the Attorney
14 General of the United States at Washington, D.C.; and

15 (C) if the action challenges an order of a nonparty agency or officer
16 of the United States, send a copy of each by registered or certified mail to
17 the agency or officer.

18 (2) *Agency; Corporation; Officer or Employee Sued in an Official*
19 *Capacity*. To serve a United States agency or corporation, or a United States
20 officer or employee sued only in an official capacity, a party must serve the
21 United States and also send a copy of the summons and of the complaint by
22 registered or certified mail to the agency, corporation, officer, or employee.
23

24 In accordance with the above, IT IS ORDERED that:

- 25 1. Within 21 days of service of this order, plaintiff shall file proof of service on
26 defendants or a statement indicating the status of service and any good cause reasons
27 why defendants have not been served pursuant to Federal Rule of Civil Procedure 4;
28 and
2. Failure to respond to this order will result in a recommendation that this case be
dismissed without prejudice.

Dated: April 3, 2025



CAROLYN K. DELANEY
UNITED STATES MAGISTRATE JUDGE